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Filing date: **05/31/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92053424
Party	Defendant World Nutrition, Inc.
Correspondence Address	LAILA S WOLFGRAM STINSON MORRISON HECKER LLP 7700 FORSYTH BLVD SUITE 1100 ST LOUIS, MO 63105 UNITED STATES Trademark@stinson.com, lwolfgram@stinson.com
Submission	Other Motions/Papers
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Signature	/laila s. wolfgram/
Date	05/31/2011
Attachments	VITALZYM Initial Disclosures of Registrant.PDF ( 3 pages )(24757 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

PROTHERA, INC.,	:	
	:	
Petitioner,	:	
	:	
v.	:	In re Registration No. 3,783,555
	:	Cancellation No. 92053424
	:	
WORLD NUTRITION, INC.	:	
	:	
Registrant.	:	
	:	

**INITIAL DISCLOSURES OF REGISTRANT**

Registrant World Nutrition, Inc. makes the following initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) and 37 C.F.R. § 2.120, based upon the information the Registrant understands to be in issue and disputed in this action:

- (A) The name and, if known, the address and telephone number of each individual likely to have discoverable information that the Registrant may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

Response:

Ryuji Hirooka, President and Chief Executive Officer  
World Nutrition, Inc.  
7001 N. Scottsdale Road, Suite 2000  
Scottsdale, Arizona 85253  
Telephone: (800) 548-2710

Contact through counsel.

Charles Eberhardt, Chief Financial Officer  
World Nutrition, Inc.  
7001 N. Scottsdale Road, Suite 2000  
Scottsdale, Arizona 85253  
Telephone: (800) 548-2710

Contact through counsel.

All would testify as to aspects of the following:

Development, marketing and sales of products covered by the mark of U.S. Registration No. 3,783,555; manufacture and origin of VITÄLZYM products for sale in U.S.

Selection, meaning and use of the VITÄLZYM mark by Registrant and Registrant's predecessors; any knowledge of confusion or likelihood of confusion with products or marks of competitors or others.

Marketing and sales of VITÄLZYM products in the United States.

- (B) A copy of, or a description by category and location of, all documents, electronically stored information, and tangible things that are in the possession, custody, or control of the Registrant and that the disclosing parties may use to support their claims or defenses, unless solely for impeachment.

Response:

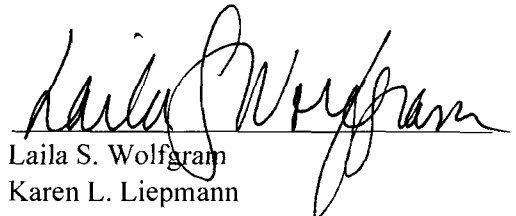
Documents relating to U.S. Registration No. 3,783,555, and advertising, literature and other materials regarding the products sold under the mark are located at World Nutrition, Inc.

Documents relating generally to the nutritional supplement industry and to the meaning of the word "VITÄLZYM" are located at World Nutrition, Inc.

Dated: May 31, 2011

**STINSON MORRISON HECKER LLP**

By:



Laila S. Wolfram

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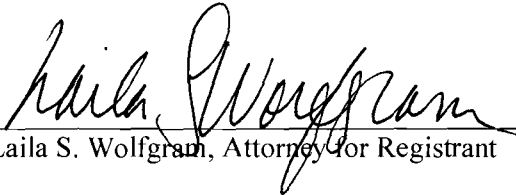
Email: TRADEMARK.STL@STINSON.COM

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing Initial Disclosures was served upon Petitioner via U.S. Mail on this 31<sup>st</sup> day of May, 2011, addressed to:

Brian Geoghegan, Esq.  
GeoMark  
8201 164<sup>th</sup> Ave NE, Suite 200  
Redmond, WA 98052  
Attorney for Petitioner

and by e-mailing a copy to Brian Geoghegan at [brian@geomarklaw.com](mailto:brian@geomarklaw.com) on May 31, 2011.

  
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Laila S. Wolfgram, Attorney for Registrant